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ATTORNEYS FOR PLAINTIFF
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,	CR 17-143 -BLG-SPW
Plaintiff,	UNITED STATES' MOTION TO
vs.	CONTINUE INITIAL
CUSTOM CARBON PROCESSING,	APPEARANCE FOR DEFENDANT
INC., PETER MARGIOTTA, and	CUSTOM CARBON PROCESSING,
MARK HURST,	INC.
Defendants.	

Plaintiff, United States of America, by and through its attorney, Assistant
United States Attorney W. Adam Duerk, respectfully moves to continue the Initial

Appearance of defendant CUSTOM CARBON PROCESSING, INC., presently scheduled for June 21, 2018.

The reason for this motion is that the registered agent for CUSTOM CARBON PROCESSING, INC. has only recently been located. The government has initiated communication with that individual representative in Texas, but the individual representative has not had an opportunity to respond to the government's efforts to determine whether a corporate representative will appear in person, telephonically or otherwise. Furthermore, the government is still entertaining the possibility of dismissing the case, but is awaiting official approval to do so. For these reasons, the government requests that this Court continue the initial appearance of CUSTOM CARBON PROCESSING, INC. for an additional 14 days. By the end of that time-frame, the government will either have made arrangements to proceed with the arraignment or received authorization to dismiss this case.

Counsel for the defendant has not been contacted, as the government is not aware of the identity of counsel at this time.

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DATED this 20th day of June, 2018.

KURT G. ALME
United States Attorney

/s/ W. Adam Duerk
W. ADAM DUERK
Assistant U.S. Attorney

/s/ Eric E. Nelson
ERIC E. NELSON
Special Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that on 6/20/18, a copy of the foregoing document was served on the following persons by the following means:

(1, 2) CM/ECF

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1. Brad Arndorfer- Attorney for defendant Margiotta
2. Ashley Harada – Attorney for defendant Hurst

KURT G. ALME
United States Attorney

/s/ W. Adam Duerk
Assistant U.S. Attorney
Attorney for Plaintiff